

ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-07013-RJH

Penn et al v. SP Payroll, Inc. et al
Assigned to: Judge Richard J. Holwell
Cause: 29:201 Fair Labor Standards Act

Date Filed: 08/06/2007
Jury Demand: Defendant
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

Angelo Pena
individually and on behalf of others
similarly situated

represented by **Michael Antonio Faillace**
Law Office of Michael Faillace and
Associates, P.C.
110 East 59th Street, 32nd Floor
New York, NY 10022
212-317-1200
Fax: 212-317-1620
Email:
faillace@employmentcompliance.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rolando Rojas
individually and on behalf of others
similarly situated

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jose Diroche
individually and on behalf of others
similarly situated

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Frank Santana
individually and on behalf of others
similarly situated

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Edison Alvarez

represented by **Michael Antonio Faillace**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Jesus De Arce Reyes

represented by **Michael Antonio Faillace**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Miguel Alcantara

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Christian Santos Vargas

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Victor Gonzalez

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Miguel Garcia

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Luis Luna

represented by **Michael Antonio Faillace**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Miguel Rojas

represented by **Michael Antonio Faillace**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Diroche Jose

represented by **Michael Antonio Faillace**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Rojas Rojas

represented by **Michael Antonio Faillace**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

SP Payroll, Inc.

represented by **Peter Arnold Walker**
Seyfarth Shaw LLP
620 8th Avenue
New York, NY 10018
(212) 218-5570
Fax: (212) 218-5526
Email: pwalker@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
Seyfarth Shaw LLP
620 8th Avenue
New York, NY 10018
(212)-218-5532
Fax: (212)-218-5526
Email: jawhite@seyfarth.com
ATTORNEY TO BE NOTICED

Defendant

Nicholas Parking, Corp.

represented by **Peter Arnold Walker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

IVY Parking, Corp.

represented by **Peter Arnold Walker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Bienvendio, LLC.

represented by **Peter Arnold Walker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Castle Parking Corp.

represented by **Peter Arnold Walker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Sage Parking Corp.

represented by **Peter Arnold Walker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Sam Podolak

represented by **Peter Arnold Walker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacquelyn Georgette White
(See above for address)
ATTORNEY TO BE NOTICED

ADR Provider

Patricio Garcia

represented by **Michael Antonio Faillace**
 (See above for address)
ATTORNEY TO BE NOTICED

ADR Provider**Angelo Pena**

represented by **Michael Antonio Faillace**
 (See above for address)
ATTORNEY TO BE NOTICED

ADR Provider**Santana Franklin**

represented by **Michael Antonio Faillace**
 (See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 08/06/2007 | <u>1</u> | COMPLAINT against Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp. (Filing Fee \$ 350.00, Receipt Number 628944) Document filed by Angelo Pena, Rolando Rojas, Jose Diroche, Frank Santana.(jeh) Additional attachment(s) added on 8/10/2007 (Becerra, Maribel). (Entered: 08/08/2007) |
| 08/06/2007 | | SUMMONS ISSUED as to Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp. (jeh) (Entered: 08/08/2007) |
| 08/06/2007 | | Case Designated ECF. (jeh) (Entered: 08/08/2007) |
| 08/06/2007 | | Magistrate Judge Michael J. Dolinger is so designated. (jeh) (Entered: 08/08/2007) |
| 08/14/2007 | <u>2</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE FLSA. Document filed by Edison Alvarez.(Faillace, Michael) (Entered: 08/14/2007) |
| 08/14/2007 | <u>3</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE FLSA. Document filed by Jesus De Arce Reyes.(Faillace, Michael) (Entered: 08/14/2007) |
| 08/16/2007 | <u>4</u> | SUMMONS RETURNED EXECUTED. Sam Podolak served on 8/13/2007, answer due 9/4/2007. Service was accepted by Italo Cardenas, coworker of defendant. Document filed by Edison Alvarez; Angelo Pena; Jesus De Arce Reyes; Rolando Rojas; Jose Diroche; Frank Santana. (Faillace, Michael) (Entered: 08/16/2007) |
| 08/16/2007 | <u>5</u> | SUMMONS RETURNED EXECUTED. Bienvendio, LLC. served on 8/13/2007, answer due 9/4/2007. Service was accepted by Italo Cardenas, coworker of defendant. Document filed by Edison Alvarez; Angelo Pena; Jesus De Arce Reyes; Rolando Rojas; Jose Diroche; Frank Santana. (Faillace, Michael) (Entered: 08/16/2007) |
| 08/17/2007 | <u>6</u> | SUMMONS RETURNED EXECUTED. IVY Parking, Corp. served on 8/13/2007, answer due 9/4/2007. Service was accepted by Italo Cardenas, coworker of |

| | | |
|------------|-----------|---|
| | | defendant. Document filed by Edison Alvarez; Angelo Pena; Jesus De Arce Reyes; Rolando Rojas; Jose Diroche; Frank Santana. (Faillace, Michael) (Entered: 08/17/2007) |
| 08/17/2007 | <u>7</u> | SUMMONS RETURNED EXECUTED. Nicholas Parking, Corp. served on 8/13/2007, answer due 9/4/2007. Service was accepted by Italo Cardenas, coworker of defendant. Document filed by Edison Alvarez; Angelo Pena; Jesus De Arce Reyes; Rolando Rojas; Jose Diroche; Frank Santana. (Faillace, Michael) (Entered: 08/17/2007) |
| 08/17/2007 | <u>8</u> | SUMMONS RETURNED EXECUTED. SP Payroll, Inc. served on 8/13/2007, answer due 9/4/2007. Service was accepted by Italo Cardenas. Document filed by Edison Alvarez; Angelo Pena; Jesus De Arce Reyes; Rolando Rojas; Jose Diroche; Frank Santana. (Faillace, Michael) (Entered: 08/17/2007) |
| 09/06/2007 | <u>9</u> | ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE: Initial Conference set for 11/16/2007 at 10:30 AM in Courtroom 17B, 500 Pearl Street, New York, NY 10007 before Judge Richard J. Holwell. (Signed by Judge Richard J. Holwell on 8/17/07) (kco) (Entered: 09/06/2007) |
| 09/07/2007 | <u>10</u> | STIPULATION AND ORDER: the time for defendants to answer, move or otherwise respond to the complaint is extended to 9/18/07. Bienvendio, LLC, answer due 9/18/2007; Castle Parking Corp. answer due 9/18/2007; Sage Parking Corp. answer due 9/18/2007; Sam Podolak answer due 9/18/2007; SP Payroll, Inc. answer due 9/18/2007; Nicholas Parking, Corp. answer due 9/18/2007; IVY Parking, Corp. answer due 9/18/2007. (Signed by Judge Richard J. Holwell on 9/6/07) (db) (Entered: 09/07/2007) |
| 09/18/2007 | <u>11</u> | FILING ERROR - WRONG PDF ASSOCIATED WITH DOCUMENT ENTRY - (SEE DOCUMENT # 12) - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Attachments: # <u>1</u> Certificate of Service)(Walker, Peter) Modified on 9/24/2007 (GF). (Entered: 09/18/2007) |
| 09/18/2007 | <u>12</u> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Attachments: # <u>1</u> Certificate of Service)(Walker, Peter) (Entered: 09/18/2007) |
| 09/18/2007 | <u>13</u> | ANSWER to Complaint with JURY DEMAND. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Attachments: # <u>1</u> Certificate of Service)(Walker, Peter) (Entered: 09/18/2007) |
| 09/18/2007 | <u>14</u> | NOTICE OF APPEARANCE by Peter Arnold Walker on behalf of Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp. (Walker, Peter) (Entered: 09/18/2007) |

| | | |
|------------|-----------|--|
| 09/18/2007 | <u>15</u> | NOTICE OF APPEARANCE by Jacquelyn Georgette White on behalf of Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp. (White, Jacquelyn) (Entered: 09/18/2007) |
| 09/19/2007 | <u>16</u> | DEMAND for Trial by Jury. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.(Walker, Peter) (Entered: 09/19/2007) |
| 09/28/2007 | <u>17</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE F.L.S.A.. Document filed by Miguel Alcantara.(Faillace, Michael) (Entered: 09/28/2007) |
| 10/01/2007 | <u>18</u> | JOINT DISCOVERY PLAN: Joinder of Parties due by 10/31/2007. Amended Pleadings due by 10/31/2007. Last day to exchange Rule 26(a)(1) disclosures: 10/12/2007. Phase I fact discovery and motions for class certification and notice to any putative class due 12/17/2007. Dft's opposition to Plts' motions for class certification and notice to any class due by 1/15/2008. Close opt-in class thirty days after notices sent. Phase II fact discovery, designation of plts' expert and service of any expert reports due by 4/4/2008. Dfts to make any Rule 26(a)(2) disclosure and serve any expert reports by 4/30/2008. All Expert Discovery due by 5/10/2008. Dispositive Motions due by 5/15/2008. Responses due by 6/6/2008, Replies due by 6/16/2008. Final Pretrial Order due by 6/30/2008. Plts demand trial by jury, and dfts do not dispute that this matter should be tried by one. Ready for Trial by 7/18/2008. The parties do not consent to this case proceeding before a Magistrate Judge, Status Conference set for 4/18/2008 at 10:00 AM before Judge Richard J. Holwell, (Signed by Judge Richard J. Holwell on 9/28/2007) (jar) (Entered: 10/01/2007) |
| 10/03/2007 | <u>19</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE F.L.S.A.. Document filed by Christian Santos Vargas.(Faillace, Michael) (Entered: 10/03/2007) |
| 10/03/2007 | <u>20</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE F.L.S.A.. Document filed by Victor Gonzalez.(Faillace, Michael) (Entered: 10/03/2007) |
| 10/03/2007 | <u>21</u> | ORDER CASE ELIGIBLE FOR MEDIATION...the above-entitled action is eligible for mediation, pursuant to the Civil Justice Expense and Delay Reduction Plan. This action is eligible for mediation subject to the limitations and restrictions as noted: ALL ISSUES ARE ELIGIBLE. (Signed by Judge Richard J. Holwell on 10/2/07) (tro) (Entered: 10/03/2007) |
| 10/04/2007 | <u>22</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE F.L.S.A.. Document filed by Miguel Garcia.(Faillace, Michael) (Entered: 10/04/2007) |
| 10/12/2007 | <u>23</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE FLSA. Document filed by Luis Luna.(Faillace, Michael) (Entered: 10/12/2007) |
| 10/30/2007 | <u>24</u> | CONSENT TO BECOME PARTY PLAINTIFF UNDER THE F.L.S.A.. Document filed by Miguel Rojas.(Faillace, Michael) (Entered: 10/30/2007) |
| 11/21/2007 | <u>25</u> | NOTICE SELECTING MEDIATOR - Notice of selection of mediator.(sc) (Entered: 11/21/2007) |

| | | |
|------------|-----------|---|
| 03/27/2008 | <u>26</u> | CONSENT TO BECOME PARTY PLAINTIFF. Document filed by Patricio Garcia.(Faillace, Michael) (Entered: 03/27/2008) |
| 04/18/2008 | | Minute Entry for proceedings held before Judge Richard J. Holwell: Interim Pretrial Conference held on 4/18/2008, (Final Pretrial Conference set for 10/31/2008 at 02:30 PM before Judge Richard J. Holwell, Jury Trial set for 11/10/2008 at 10:00 AM before Judge Richard J. Holwell.)Discovery issues discussed; FPTC set for 10/31/08 at 2:30pm; Trial set for 11/10/08 at 10:00am; Defense counsel is directed to submit to the Court trial scheduling report. (jw) (Entered: 04/25/2008) |
| 04/30/2008 | <u>27</u> | ENDORSED LETTER addressed to Judge Richard J. Holwell from Peter A. Walker dated 4/23/08 re: Counsel to all defendants in this action submit this letter to the Court, with a copy to Mr. Faillace, so that Your Honor could "so order" the following schedule for this case: All fact discovery will close on 5/16/08. Neither party intends to retain an expert and thus there shall be no expert discovery; Any motion for summary judgment shall be served and filed no later than 6/13/08; Answering papers to any motion for summary judgment shall be served and filed no later than 7/11/08; Any reply papers to any motion for summary judgment shall be served and filed no later than 7/18/08; The parties' pretrial order, pretrial memorandum of law and motions in limine shall be served and filed no later than 10/3/08; The parties shall served each other and submit their exhibits in black binders to the Court no later than 10/3/08; Any response to a motion in limine shall be served and filed no later than 10/10/08; Since the parties have agreed to a bench trial, proposed findings of fact and conclusions of law shall be served and filed no later than 10/17/08; The trial of the action will commence on 11/10/08; A final pretrial conference shall be held on 10/31/08 at 2:30 p.m. ENDORSEMENT: So Ordered. (Discovery due by 5/16/2008. Motions due by 6/13/2008. Responses due by 7/11/2008, Replies due by 7/18/2008. Pretrial Order due by 10/3/2008. Pretrial Conference set for 10/31/2008 at 02:30 PM before Judge Richard J. Holwell.) (Signed by Judge Richard J. Holwell on 4/28/08) (ae) (Entered: 04/30/2008) |
| 05/20/2008 | <u>28</u> | ENDORSED LETTER addressed to Judge Richard J. Holwell from Michael Faillace dated 5/16/2008 re: Counsel respectfully request that the Court grant them the Courtesy extending the discovery schedule. ENDORSEMENT: All pre-trial scheduling date extended by 30 days. No further extensions absent extraordinary circumstances. So Ordered. (Signed by Judge Richard J. Holwell on 5/20/2008) (jfe) (Entered: 05/20/2008) |
| 07/12/2008 | <u>29</u> | MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> , MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez. Document filed by Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna.(Faillace, Michael) (Entered: 07/12/2008) |
| 07/12/2008 | <u>30</u> | MEMORANDUM OF LAW in Support re: <u>29</u> MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose |

| | | |
|------------|-----------|--|
| | | De Arce Reyes and Edison Alvarez. MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez.. Document filed by Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna. (Faillace, Michael) (Entered: 07/12/2008) |
| 07/12/2008 | <u>31</u> | AFFIDAVIT of John Karol in Support re: <u>29</u> MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez. MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez.. Document filed by Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna. (Attachments: # <u>1</u> [Proposed] First Amended Complaint)(Faillace, Michael) (Entered: 07/12/2008) |
| 07/12/2008 | <u>32</u> | AFFIDAVIT of Michael Faillace, Esq. in Support re: <u>29</u> MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez. MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez.. Document filed by Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U)(Faillace, Michael) (Entered: 07/12/2008) |
| 07/14/2008 | <u>33</u> | MOTION for Partial Summary Judgment. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp..(Walker, Peter) (Entered: 07/14/2008) |
| 07/14/2008 | <u>34</u> | MEMORANDUM OF LAW in Support re: <u>33</u> MOTION for Partial Summary Judgment.. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Walker, Peter) (Entered: 07/14/2008) |
| 07/14/2008 | <u>35</u> | RULE 56.1 STATEMENT. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Walker, Peter) (Entered: 07/14/2008) |

| | | |
|------------|-----------|--|
| 07/14/2008 | <u>36</u> | AFFIDAVIT of Peter A. Walker in Support re: <u>33</u> MOTION for Partial Summary Judgment.. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Attachments: # <u>1</u> Exhibit A-C, # <u>2</u> Exhibit D-I, # <u>3</u> Exhibit J-O, # <u>4</u> Exhibit P-W)(Walker, Peter) (Entered: 07/14/2008) |
| 07/14/2008 | <u>37</u> | AFFIDAVIT of David Saperstein in Support re: <u>33</u> MOTION for Partial Summary Judgment.. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Walker, Peter) (Entered: 07/14/2008) |
| 07/24/2008 | <u>38</u> | MEMORANDUM OF LAW in Opposition re: <u>29</u> MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez. MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez.. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Attachments: # <u>1</u> Certificate of Service)(Walker, Peter) (Entered: 07/24/2008) |
| 07/24/2008 | <u>39</u> | AFFIDAVIT of Peter A. Walker in Opposition re: <u>29</u> MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez. MOTION to Amend/Correct <u>1</u> Complaint, <i>and for Other Relief</i> . MOTION to Add Party(ies) Christian Santos, Luis Luna, Miguel Alcantara, Miguel Garcia, Miguel Rojas, Victor Gonzales, Jose De Arce Reyes and Edison Alvarez.. Document filed by Bienvendio, LLC., Castle Parking Corp., Sage Parking Corp., Sam Podolak, SP Payroll, Inc., Nicholas Parking, Corp., IVY Parking, Corp.. (Attachments: # <u>1</u> Exhibit A through E, # <u>2</u> Exhibit F through L)(Walker, Peter) (Entered: 07/24/2008) |
| 07/30/2008 | <u>40</u> | ENDORSED LETTER addressed to Judge Richard J. Holwell from Michael Faillace dated 7/22/08 Counsel writes to suggest an amendment in the briefing schedule for the motion for partial summary judgment. ENDORSEMENT: Application denied. (Signed by Judge Richard J. Holwell on 7/29/08) (mme) (Entered: 07/30/2008) |
| 07/30/2008 | <u>41</u> | CONSENT TO BECOME PARTY PLAINTIFF. Document filed by Angelo Pena, Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna.(Faillace, Michael) (Entered: 07/30/2008) |
| 08/07/2008 | <u>42</u> | CONSENT TO BECOME PARTY PLAINTIFF. Document filed by Santana Franklin, Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna.(Faillace, Michael) (Entered: 08/07/2008) |

| | | |
|------------|-----------|---|
| 08/07/2008 | <u>43</u> | CONSENT TO BECOME PARTY PLAINTIFF. Document filed by Diroche Jose, Miguel Rojas, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna.(Faillace, Michael) (Entered: 08/07/2008) |
| 08/08/2008 | <u>44</u> | CONSENT TO BECOME PARTY PLAINTIFF. Document filed by Rojas Rojas, Miguel Rojas, Angelo Pena, Diroche Jose, Edison Alvarez, Angelo Pena, Jesus De Arce Reyes, Rolando Rojas, Jose Diroche, Frank Santana, Miguel Alcantara, Christian Santos Vargas, Victor Gonzalez, Miguel Garcia, Luis Luna.(Faillace, Michael) (Entered: 08/08/2008) |

PACER Service Center

Transaction Receipt

08/13/2008 10:31:18

| | | | |
|------------------------|---------------|-------------------------|-------------------|
| PACER Login: | mf1180 | Client Code: | |
| Description: | Docket Report | Search Criteria: | 1:07-cv-07013-RJH |
| Billable Pages: | 7 | Cost: | 0.56 |